

D R A F T

**PROFESSIONAL GEOLOGIST SECTION MEETING
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS,
HYDROLOGISTS AND SOIL SCIENTISTS
MADISON, WI
MINUTES
OCTOBER 23, 2002**

PRESENT: Thomas Evans, David Mickelson, Yakov Nenaydykh (by phone),
Joan Underwood

STAFF PRESENT: William Black, Mary Forseth, Grace Schwingel, and Judy Mender

GUESTS: Andrew Graham, AIPG

CALL TO ORDER

Joan Underwood, Chair, called the meeting to order at 8:35 a.m. A quorum of 4 members was present.

ADOPTION OF AGENDA

MOTION: Thomas Evans moved, seconded by David Mickelson, to adopt the agenda as published. Motion carried unanimously.

MINUTES (06/19/2002)

Amendments to Minutes: Joan Underwood was not at the June meeting. On the last page of the minutes, it should indicate that Fred Birts made the motion to convene to Closed Session

MOTION: Thomas Evans moved, seconded by David Mickelson, to approve the minutes of 6/19/02 as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Mary Forseth, Bureau Director

• Section Roster

Yakov Nenaydykh has replaced Fred Birts as the public member on the Board. Thomas Evans will do screenings in 2003, starting with the January meeting.

• 2002 Section Meeting Dates

Approved

• 2003 Section Meeting Dates

The meeting and screening scheduled for June 18, 2003 have been rescheduled to Tuesday, June 17, 2002. The screening will be at 8:30 a.m. and the meeting at 9:00 a.m. The Section requested that the Department send notices of meeting date changes by Outlook-using Calendar.

• To-Do List

Noted

- **Secretary/Deputy Secretary Comments**

Not available

- **Regulatory Digest Articles, Katherine Hildebrand**

Joan Underwood will mail Regulatory Digests she has from other states – California, Illinois, Minnesota, and articles that are pertinent to Wisconsin can be included in the Geologists section of the Regulatory Digest. Dave Mickelson will write a brief report of the ASBOG meeting in November.

An update on the need for consistency in rules between state agencies, as has been discussed at the Inter-Agency meetings will be included in the next Regulatory Digest to alert professionals who are operating under the rules of another agency that they could be operating without a license. When the licensing Board for geologists, hydrologists and soil scientists was created, it created a conflict with the rules other agencies had been operating under when these professions were not credentialed. Coordination of rules between agencies is the next logical step in the licensing process. Mary Forseth will review the Wheeler Reports for rules being revised in other agencies that impact these professions. When rules that impact these professions need changing in DRL or the other agencies, the Inter-Agency Committee should meet again. Mary Forseth will put the information regarding licensure requirements that is being sent to schools in an article for the Regulatory Digest as well.

The Section would also like a notice of its decision to not pursue continuing education requirements for the profession at this time to be put into the Regulatory Digest.

LEGISLATIVE UPDATE

None

ADMINISTRATIVE RULES

Continuing Education

The section had a lengthy discussion on how they want to deal with continuing education requirements and class approval courses. The Section agreed that since the profession does have minimum education and experience requirements and very minimal discipline activity, there does not appear to be any public safety issue that would be addressed by having continuing education requirements at this time. It was noted that AIPG does not currently have continuing education requirements.

MOTION: Thomas Evans moved, seconded by David Mickelson, to indicate that while the Section believes continuing education is a valuable activity for all licensees to be pursuing, it does not see any necessity for adopting formal continuing education requirements at this time. Motion carried unanimously.

ASBOG

ASBOG 2002 Annual Meeting, November 4-10, Biloxi, Mississippi

Dave Mickelson is attending the ASBOG 2002 Annual Meeting on November 4-10, 2002 in Biloxi, Mississippi.

Proposed Amendments to ASBOG Charter

The Section discussed the proposed amendments regarding ASBOG representation at meetings and indicated it was in agreement with the position Arizona has taken on this issue. The Section agrees that the authority to determine who should represent the Geology Section for voting purposes at the ASBOG meeting should remain with the Board and that the Geology Section of the Board should be able to send any board member or any other person approved by the Section to represent the Geology Section and to vote at an ASBOG meeting. The Section understands that the primary focus of ASBOG is to administer the exam.

The Section compiled a list of issues it would like David Mickelson to present at the ASBOG meeting.

1. Continuing Education – the board has considered it and has chosen not to pursue it at this time.
2. Inter-Agency Liaison Committee - the Board has met with other state agencies in Wisconsin and is in conversation with those agencies about the need for consistency of their administrative rules.
3. Legislative Actions of last spring - Incidental Practice Act. There were many public comments from incidental practice areas and the Board amended its rules.
4. Number of licensees.
5. Explain that we're a Joint Board with 3 Sections.
6. The Board developed the hydrology exam and then gave it to AIH and that organization is now administering the exam. As far as we know, no other entity is licensing hydrologists.
7. Check the chart, listed on page 12 of the agenda packet, and determine if there are corrections needed to the information for Wisconsin.
8. At the back of ASBOG book there is a summary of who the administrator is, with a paragraph of information on each state. Check to see if that information for Wisconsin is still current.

David Mickelson will write an article when he returns from the ASBOG meeting.

INTER-AGENCY LIAISON COMMITTEE

Discuss Committee's Mission, Membership, and Agenda Items

This issue was reviewed during the discussion of the Regulatory Digest under the Administrative Report. The Department is reviewing rule changes and will address issues that develop as a result of rule changes in other agencies. This issue will be discussed at the spring 2003 Joint Board meeting. No meeting of the Inter-Agency Liaison Committee is currently planned.

EXAMINATION ISSUES

Noted

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Letter from Joint Board to Schools and Universities, Mary Forseth

The Section reviewed the letter that is being drafted to school administrators regarding licensure requirements for the practice of geology, hydrology, and soil science. The Section will contact AIG and AIPG for mailing lists for target groups. David Mickelson will prepare a list of all the Departments in the state that deal with geology issues. A pamphlet from the Sections will be sent with the letter; the Geologist Section indicated it would like the letter with the geology information to be sent as soon as possible, before the deadline for signing up for the exam. Some schools are now using this exam as an exit exam for their graduate students and other schools may want to do the same. Mary Forseth will

redraft the letter as recommended by the Section members, putting David Mickelson's e-mail address in the letter as a contact for people with questions about using the exam as an exit exam for their graduating students. Mary Forseth indicated that the letter could be sent within the next week.

MOTION: Thomas Evans moved, seconded by David Mickelson, to approve sending the letter with modifications to include the dates of the exams and the deadline for signing up for the exam. Motion carried unanimously.

• **Section Appointment of Public Member to GHSS Joint Board Rules Committee**

MOTION: David Mickelson moved, seconded by Thomas Evans, to appoint Yakov Nenaydykh, the public member, to the Rules Committee.

NEW BUSINESS

None

CLOSED SESSION

MOTION: Thomas Evans moved, seconded by David Mickelson, to convene to closed session at 10:05 a.m. to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats. Hearing of D'Arcy J. Gravelle. Motion carried by role call vote: Thomas Evans-yes, David Mickelson-yes, Yakov Nenaydykh (by phone)-yes, Joan Underwood-yes.

RECONVENE TO OPEN SESSION

MOTION: Thomas Evans moved, seconded by David Mickelson, to reconvene into Open Session at 12:10 p.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MONITORING REPORT

None

CLASS 1 HEARING

D'ARCY J. GRAVELLE

MOTION: David Mickelson moved, seconded by Thomas Evans, to grant an exception to admit D'Arcy Gravelle to take the exam under the equivalency provision one additional time. If Mr. Gravelle passes the exam he'll be considered for licensure. Motion carried unanimously.

Judy Mender will write the letter to D'Arcy Gravelle informing him of the Section's decision and that if he would fail a 2nd time, the Section would recommend that he not apply for the exam again until he has received additional education.

**DELIBERATION ON STIPULATIONS, ADMINISTRATIVE WARNINGS, AND
DISCIPLINARY ACTIONS THAT MAY BE SIGNED AFTER PRINTING OF
AGENDA**

None

PENDING APPLICATIONS, IF ANY

MOTION: Thomas Evans moved, seconded by David Mickelson, to approve Stephen McFadden, and Mark Osterberg for licensure in Wisconsin by Comity. Motion carried unanimously.

MOTION: Joan Underwood moved, seconded by Thomas Evans, to deny the application for licensure in Wisconsin by Comity of Theodore Von Wallmenich because he had not taken a licensure exam to be licensed in Washington and he had insufficient credits in geology. Motion carried unanimously.

MOTION: Joan Underwood moved, seconded by David Mickelson, to approve Scott Rademaker for licensure in Wisconsin who passed the examination and meets the requirements for licensure. Motion carried unanimously.

CORRESPONDENCE CONCERNING DENIAL

None

EXAMINATION ISSUES

None

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

None

ADJOURNMENT

MOTION: David Mickelson moved, seconded by Thomas Evans, to adjourn the meeting at 12:35 p.m. Motion carried unanimously.

Next Meeting: Wednesday, March 12, 2003